



STATE OF DELAWARE  
DEPARTMENT OF AGRICULTURE  
DELAWARE HARNESS RACING COMMISSION  
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Minutes of the DHRC Meeting Held  
August 9, 2011  
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**The Delaware Harness Racing Commission met  
at 10:15 AM at Exhibit Hall, Delaware State Fairgrounds, Harrington, Delaware**

*Commission Members Present*

<b>Beth Steele, Chairman</b>	<b>George P. Staats, Commissioner</b>
<b>Robert B. Brown, Commissioner</b>	<b>Larry Talley, Commissioner</b>
<b>Patt Wagner, Commissioner</b>	

*Others Present*

<b>Andrew Kerber, Deputy Attorney General</b>	<b>Karen Craft, Facilities Manager, HRI</b>
<b>Charles Lockhart, VP of Horse Racing, Dover Downs</b>	<b>Judy Davis-Wilson, Executive Director, DSBF</b>
<b>John Hensley, Sr. Dir., Horse Racing, Dover Downs</b>	<b>Hugh Gallagher, DHRC Administrator of Racing</b>
<b>Salvatore DiMario, Executive Director, DSOA</b>	<b>Brian J. Manges, DHRC Chief Inspector</b>
<b>James Boese, General Manager, HRI</b>	<b>Matt Sparacino, Assist. General Mgr., HRI</b>
<b>Scott Egger, Presiding Judge</b>	<b>Brenda Bramble, DSOA</b>
<b>Frances West, DSOA</b>	<b>Mark Davis, Department of Agriculture</b>
<b>B.A. Davis, Office Manager, DHRC Licensing</b>	<b>Ed Kee, Department of Agriculture</b>
<b>Patti Key, CEO, Harrington Raceway</b>	<b>Andrew Markano, DSOA</b>
<b>Brian Callahan</b>	<b>Peter Schaeffer, Esquire, Atty for Callahan</b>
<b>Stacey Cohee, Deputy Attorney General</b>	<b>William DiMondi, Delaware State Fair</b>

**CALL TO ORDER**

At 10:20 AM, Chairman Steele called the public session of the meeting to order and welcomed all in attendance. Please note the following amendments to the Public Hearing Meeting Notice & Agenda issued for this meeting. 4A under New Business is amended to read as follows: Del Point, Inc.: Request Extension of Conditional Harness Racing Approval. 5A under Public Hearing is amended as follows: A. Brian Callahan - Delaware Owned Hearing. Commissioner Talley made a motion to accept these amendments which was seconded by Commission Staats.

**APPROVAL OF MINUTES**

**Vote:** Commissioner Staats moved to approve the July 7, 2011 Executive Meeting Minutes. Commissioner Talley seconded and the Motion passed unanimously.

**OLD BUSINESS**

The **ORDER** in the Thomas Jackson Appeal hearing held on June 14, 2011 was signed by all of the Commissioners. Andrew Kerber, Esquire, pointed out to the Commission that Jackson has 30 days from

today's date (the date the order was signed) to appeal the decision of the Commission to the Superior Court.

#### NEW BUSINESS

1. *Reports from Racing Administrator, Racing Officials & Veterinarians*

*Administrator:* Mr. Gallagher reports he is working with Sal DiMario (DSOA) on an administrative search warrant. He has a couple of rules from other jurisdictions about visiting farms. He is working not only with the DSOA but also with Secretary Kee of the Department of Agriculture on legislation to amend the Delaware Code to give the Commission authority to visit farms and training centers. Hugh Gallagher recently attended a meeting in Saratoga and the issue of a National Compact license was discussed. The other item discussed was a medication issue which is not a fast-track item but it was discussed they were looking at no race day medications whatsoever. Chairman Steele inquired if anything was said in Saratoga about a Commissioner training session. Mr. Gallagher believes they will have another Commissioner training session but at this time he doesn't know when it will be scheduled.

Mr. Lockhart and Mr. Boese have been contacted regarding racing dates for 2012. Mr. Lockhart gave a letter today along with a check from Dover Downs in the amount of \$2,000 for their license to conduct harness racing in 2012. Mr. Boese has the letter prepared in his office and will submit to the Mr. Gallagher's office later today.

2. *Presiding Judge* Judge Scott Egger stated the Judges conducted a hearing yesterday with Johnny Waite and issued a \$1,000 fine. There was a positive test on Governor's Day at the Fair. There were 166 horses in the box for today's draw. For the Fall meet at Harrington Raceway the time for horses to be in the paddock has been moved up 7 minutes.

3. *Chief DHRC Veterinarian:* No report from the veterinarians since there has been no racing since June 30, 2011.

4. *Del Pointe:* The request from Del Pointe for an extension of the conditional harness racing approval was heard. No representative from Del Pointe appeared at the hearing. Andrew Kerber added what the Commission did last time was to give Del Pointe a conditional approval of their application for three years. At that time Del Pointe stated they didn't need racing dates. Del Pointe has not provided blueprints of their projected track. Commissioner Talley asked if Del Pointe has not done anything about a race track in the last three years, why are they asking for an extension? No response from anyone. Commissioner Talley is opposed to an extension since Del Pointe has done nothing in any way in Delaware to enhance horse racing. Commissioner Brown added Del Pointe is interested in a track so the harness people would have a place to race for seven weeks when the other tracks are shut down. Sal DiMario, a representative of DSOA, states his organization opposes an extension. DSOA feels Del Pointe mislead them in the past. The position of the DSOA is that Del Pointe is not about racing but rather a casino project. Del Pointe made a lot of promises but did not follow through on them. After considerable discussion by the Commission a motion to deny the request was made by Commissioner Talley and seconded by Chairman Steele. The Commission vote to deny the request passed with a majority vote of 4-1. Commissioner Brown voted to extend and approve the request with a "NO" vote to the motion.

#### PUBLIC HEARING

The Delaware owned hearing for Brian Callahan began at 10:40 AM (Refer to transcript from Court Reporter for details of this hearing). This hearing concluded at 1:03 PM with a break in the hearing from 12:00 noon to 12:15 PM.

#### UPCOMING EVENTS

- *Regular DHRC Meetings*  
**September 13 (second Tuesday) 10:15 AM Exhibit Hall, Delaware State Fairgrounds, Harrington, Delaware**

#### ADJOURNMENT

**At 1:15 PM the meeting was adjourned to executive session.**

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